1947

File No. O. Prev. of Cruelty to Animals/47

Legal **DEPARTMENT**

A **BRANCH**

Subject:— Opinions under the Prevention of Cruelty to Animals Act, 1890

P2E

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C O N T E N T S.

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Sr.No.	Compilation No.	Subject.	Pages.
		Opinions under the Prevention of Cruelty to Animals Act, 1890	
1.	O.No.4609/7.5.47	Sec 83(4) Question whether admission fee would be included in the cost of transport, maintenance and treatment in an infirmary so as to be may ble by the owner of the animal	1-2

Hr.

16-5-47

Office of the S.L.A.

Sub-section (3) of section 6B of the Prevention of Cruelty to Animals Act, 1890 empowers the Magistrate, before whom a prosecution for an offence against this Act has been instituted, to direct that the animal concerned shall be sent to a pinjrapole. Under sub-section (5) a the pinjrapole is entitled to recover from the owner of the animal the costs which he is liable to pay under sub section (4). Sub-section (4) makes the owner of the animal liable to pay the cost of transporting the animal to a pinjrapole and of its maintenance and treatment in the infirmity. "Admission fees" means fees levied for admission. Such fees would ordinarily form one component element in the costs of the animal's maintenance and treatment in the infirmary; and would therefore become payable by the owner under sub-section (4). No amendment of the law is needed.

It must, however, be pointed out that the cost becomes payable in accordance with the scale of rates to be prescribed by the District Magistrate or Commissioner of Police; and that actual costs as such are not leviable.

Sd/- A.G.S.

Remembrancer of Legal Affairs.

U.O. to H.D. No.4569 dated the 7th May 1947.